

1 think that criminal defense lawyers have no
2 feelings, that our job is to get somebody off.
3 That's not our job. That's not my job, I could
4 tell you this. I don't represent nobody other than
5 Derrick Reaves.

6 But when a man is falsely accused, the
7 only thing that you could do is to fight. I have
8 never seen anybody look like this. Do you know how
9 hard that you have to hit somebody to break a
10 shovel? Have you ever tried to dig something up
11 and ran into a rock, and you stood on the shovel,
12 rocked back? You will fall before the shovel
13 breaks.

14 This didn't make any sense at all. I
15 don't care what color the man was. Rodean Frazier
16 said that best; Rick Wilson was my friend. In
17 part, he died because he was white. That goes
18 against everything that I believe in.

19 What I don't want you to do is -- you will
20 have to feel for his parents, and you should. If
21 you don't feel for these parents, something is
22 wrong with you.

23 But don't let your rage convict people
24 that were not there. Those that were there, smoke
25 'em, they need to be convicted. People that

EXHIBIT**1**

1 participated in this event need to be convicted.

2 That's what should happen. What angers me
3 about the case is this: Rodean Frazier was their
4 best witness for two prior trials. They parade him
5 in front of a jury two times. After he testified
6 they said you have to believe him, he is the best
7 thing since Rainbo bread.

8 When he comes in here and refuse to send
9 an innocent man to the penitentiary, they don't
10 want him -- then they don't want him. That's
11 wrong.

12 If the man made a mistake, if there were a
13 thousand people -- if we go to a party, come to my
14 party and I see you there, later on there is a
15 fight, and I'm telling somebody yeah -- let's say
16 that you leave before the fight -- I'm saying yeah,
17 they were all there. And if I am mistaken, should
18 I not come back in and tell you that I am mistaken,
19 or should I just stay with whatever it is that you
20 want me to say to convict a man? That's not right.

21 You can't have it both ways. You cannot
22 have it both ways. That's what is wrong. I wasn't
23 there the night that he was taken to the police
24 station. I was not there. I don't know if he was
25 high. I don't care. What I care about is in two

1 prior trials when he testified about this incident,
2 not once under oath did he ever say that Derrick
3 Reaves did anything. He mentioned other people's
4 names. We went through that while he was on the
5 stand, but he never said that Derrick did it.

6 He testified that he told the prosecutor
7 that a long time ago. That's when somebody had to
8 get Peaches arrested. Remember that Peaches ain't
9 been a witness since April. Rodean was good enough
10 for them and he was the only witness that could
11 testify as to who was where. That's what they used
12 for him. Do you hear me? That's what they used
13 him for, arguing that he was credible.

14 When he told them months ago that I'm not
15 going to tell any jury -- like, Wilson was my
16 friend, but I'm not going to lie. If I made a
17 mistake, I made a mistake, but the man was not
18 there at the time that beating took place.

19 So they went to get Peaches. You heard
20 her say that when they went and got her, they
21 arrested her on the outstanding warrant. They
22 locked her up. Next thing that you know, she knows
23 everything that happened and my client was there.

24 See, all of us have had occasion where
25 people come back saying that so and so said that

you did this. Your response is tell them to say it to my face, because that's not true. It angered me.

You falsely accuse me of murder and you can't look me or the jurors in the eye? She looked at that statute of Abe Lincoln when he asked her.

If you are going to excuse me of murder, you face my peers, you tell them that I did it, you look them in the eye. Don't come in here testifying to Lincoln saying that I committed murder when you know that it is a lie.

But to use a man to gain a conviction in two prior trials, and when he refuses to put an innocent man away, to turn on him like that is wrong. That's wrong. I mean, to me, it is. It stinks and it is rotten.

He told you that Rick Wilson was his friend. My sister begged me not to testify in Carl Meadows' trial. And I did what I had to do to see that justice was done. His own sister, because she said that his sister is best friends with Carl Meadows' mother, begged me not to testify. I still testified as to what I saw that night against Carl Meadows.

That's wrong. Wrong to come in here and

1 then say that you are no good because we do not
2 accept that the person he was talking about was
3 light-skinned. We are not going to -- you can make
4 a mistake. Yeah, it was a lot of people in your
5 house. Now, we want you to say that same thing
6 that you said that night because we want a
7 conviction.

8 I told you all that when we first started,
9 what are we hear for, for justice or just to
10 convict someone because you are outraged at what
11 happened?

12 Yeah, be outraged at what happened, but
13 don't let it blind you to the point where you
14 convict an innocent man.

15 See, people talk, you know, Fourth of
16 July, best country is America. We fought for
17 barbecue pits. When they get in that box and they
18 told you your oaths as jurors, a lot of times they
19 want to go off their gut feeling.

20 That's bullcrap. You can't walk around
21 talking about you are a great American talking,
22 talking, talking, unless you are willing to walk
23 the walk. The threat to our constitution is not
24 from Saddam Hussein or not from Red China. It
25 comes from within this box because if you ain't

1 wanted to believe that it was flat anyway.

2 If you want to believe that Peaches was
3 credible, if you just want to convict, you better
4 check them. You better check them because
5 everybody in here knows it. That they would
6 not -- one of the most important decisions that you
7 could make is who is going to babysit your kid.
8 Ask them would you allow her to babysit your kids.

9 How are you going to put Derrick's life in
10 her hands? If they tell you yeah, you better check
11 it again because you know that it is wrong.

12 When I sit down, I got to put this young
13 man's life in your hands. I can't do anything else
14 for him. Some of you better fight for him as hard
15 as I have because I'm telling you now that justice
16 is more than just convicting people.

17 People think that in order for justice to
18 be served that you have to convict. You do not
19 convict innocent people.

20 From the time that we started this trial
21 until now, I have been up-front and honest with you
22 from day one. I didn't play no games, no
23 shenanigans. Derrick Reaves is not guilty.

24 Judge Crush is going to tell you that --
25 in fact, he did tell you last Friday when they

1 played the tapes of what Rodean Frazier told the
2 police that night -- do you remember the
3 instruction that you could not take anything Rodean
4 Frazier said to the police as true. Do you
5 remember that?

6 You have a juror back there saying that I
7 believe what Rodean said that night. Check it.
8 The judge told us that we can't take anything that
9 he said that night to be true. So where is your
10 evidence?

11 Frazier testified under oath two prior
12 times and this time that Derrick Reaves was not
13 there. That's what he testified to this time.
14 Derrick was not there. Never testified that he was
15 under oath in none of their trials when he was
16 their star witness.

17 So if you cannot take anything that the
18 man said for true the night that he talked to the
19 police, this is what you tell your fellow juror; if
20 he doesn't say that Derrick did it on the stand,
21 that leaves us with Peaches.

22 Ain't no way in hell that I put any boy's
23 life in her hands. None. Because you would not
24 want your life in her hands.

25 I don't know how a man could be a hero for

1 the prosecutor, doing the right thing in two prior
2 cases and then be a liar for doing the right thing
3 in this one. How does that work?

4 You didn't hear Mr. Prem tell Mr. Frazier
5 that he testified differently about Maurice or
6 about anybody else other than Derrick, when he told
7 you he told them a long time ago this boy was not
8 there. Now he is a liar?

9 Peaches didn't testify in front of
10 anybody's jury until this trial. So the only eye
11 witness on the other two cases who could identify
12 people was Frazier. If the man made a mistake -- I
13 don't know what he said. I don't care what he
14 said -- if he made a mistake, why would we not want
15 him to come in and correct that?

16 If you were on trial telling your lawyer
17 that I'm not guilty, he is wrong, and then a person
18 admits that, why should they be considered a liar?

19 Talking about some diagram where he
20 testified that he drew out the names of the
21 defendant. Never put Derrick next to the body.
22 That's when they knew, I'm telling you. Think
23 about the other two trials and how stuff happened.

24 If this happened in April, why else would
25 they wait until Frazier says something to them